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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT PAPER NUMBER

2154

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/775,036

Applicant(s)

JANO ET AL.

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-34 are subject to examination.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9, 19 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation "the first" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "the first" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 25 recites the limitation "third" in line 6. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Sheynblat et al. (hereinafter Sheynblat)(US 6, 677, 894 B2).

**Referring to claim 1,**

Sheynblat teaches a communication network, comprising:

a client device (col. 7, line 17-24) generating and transmitting a request for information (Fig. 2B, element 102b, col. 8, line 56-62), and

a server device (Fig. 2B, element 114 or 116) generating and transmitting for the client device (Fig. 2B, element 102b) a response to the request. wherein a location token requesting location Information corresponding to the client device is transmitted between the client device and server device. (col. 8, line 56-62).

**Referring to claim 2,**

Sheynblat teaches the communication network of claim 1, wherein the location information is populated within the location token it is communicated through network. (col. 8, line 15-18).

**Referring to claim 3,**

Sheynblat teaches the communication network of claim 2, wherein the location token Includes signature codes corresponding to location Information inserted within the location token. (col. 22, line 15-31).

**Referring to claim 4,**

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Sheynblat teaches the communication network of claim 1, wherein the location information is incrementally inserted by one or more plurality of intermediaries. (col. 8, line 37-62)

**Referring to claims 5 and 6,**

Sheynblat teaches the communication network of claim 41, the intermediaries including a first intermediary and a second Intermediary, wherein a plurality of intermediaries other than the first and the second intermediary are between the first and the second intermediary, and wherein the location information is inserted as the token is communicated through the network in both directions between the first intermediary and the second Intermediary by one or more of the plurality of intermediaries, and the communication network of claim 1, further comprising a location command requesting the location information, the location command positioned within the location token, wherein the location information is inserted within the location token by one or more intermediaries in response to the location command. (col. 8, line 37-62, Note: First Intermediary: GPS location server; Second Intermediary: GPS Reference Network which has GPS reference stations, col. 8, line 15-18)

**Referring to claim 7,**

Sheynblat teaches a communication network, comprising:

a client device (col. 7, line 17-24) generating and transmitting a request for information (Fig. 2B, element 102b, col. 8, line 56-62); and

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an other device (Fig. 2B, element 114 or 116) generating a first response to the request, the first response including a first location token requesting location Information corresponding to the other device (col. 8, line 37-62); and

an intermediary between the client device and the other device, wherein the first response is transmitted between the client device and the other device through the intermediary (col. 8, line 37-62);

**Referring to claim 8,**

Sheynblat teaches the communication network of claim 7, wherein the first location token includes a first location command requesting Insertion of location Information within the location token by at least one of the client device and the intermediary. (col. 8, line 37-62);

**Referring to claim 9,**

Sheynblat teaches the communication network of claim 8, wherein the client device generates a second location token including location Information available to the client device in response to the first location command, the second location token including a second location command requesting insertion of location information within the second location token, and wherein the intermediary inserts location information available to the intermediary in response to the second location command, and the other device generates and transmits a second response to client device through the intermediary, the second response including the location information inserted within the second location token by the first and the intermediary. (col. 16, line 6-61, Figs. 8 and 2B).

**Referring to claim 10,**

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Sheynblat teaches the communication network of claim 9, wherein the second location token is an update of the first location token. (Fig. 8).

**Referring to claim 11,**

Sheynblat teaches the communication network of claim 9, wherein the first and the second location token include signature codes corresponding to the intermediary inserting location information. (col. 22, line 15-31).

**Referring to claims 12 and 13,**

Sheynblat teaches the communication network of claim 9, wherein the other device inserts location information available to the other device within the second response, and communication network of claim 9, wherein the other device inserts location information available to the other device within the first response. (col. 16, line 6-61, Fig. 8, col. 8, line 45-62).

**Referring to claim 14, 15, 16, 17 and 18,**

Sheynblat teaches the communication network of claim 8, wherein, in response to the first location command, the intermediary inserts location information available to the intermediary within the first location token and the client device generates a second location token including the location information inserted by the intermediary and location information available to the client device, and wherein the other device generates and transmits a second response to the client device through the intermediary, the second response including the location information inserted within the updated location token, and the communication network of claim 14, wherein the first and the second location token include signature codes corresponding to the

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intermediary inserting location information, and the communication network of claim 14, wherein the other device Inserts location information available to the other device within the second response, and communication network of claim 14, wherein the other device Inserts location information available too the other device within the first response, and communication network of claim 14, wherein the second location token is an update of the first location token. (col. 16, line 6-61, Fig. 8, col. 8, line 45-62).

**Referring to claim 19,**

Sheynblat teaches a communication network, comprising;

a client device (col. 7, line 17-24) generating and transmitting a request for information, the request including a first location token requesting location information corresponding to the client device (Fig. 2B, element 102b, col. 8, line 56-62);

a other device (Fig. 2B, element 114 or 116) generating a response to the request, the response including a second location token (col. 8, line 37-62);; and  
a intermediary (Fig. 8, location server, element 307), between the client device and the other device, transmitting the request and the response between the first and the other device, wherein the client device includes location Information available to the client device within the first location token, and the other device includes location Information previously Inserted within the first location token In the second location token. (col. 16, line 6-61, Fig. 8, Fig. 2B, col. 8, line 45-62).

**Referring to claim 20,**



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Sheynblat teaches the communication network of claim 19, wherein the second location token is an update of the first location token. (Fig. 8).

**Referring to claim 21,**

Sheynblat teaches the communication network of claim 19, wherein the intermediary Inserts location information within second location token as the response is transmitted from the other device to the client device. (Fig. 8, Fig. 2B, col. 8, line 37-62).

**Referring to claim 22,**

Sheynblat teaches the communication network of claim 19, wherein the other device Inserts location information available to the other device within the second location token. (col. 8, line 37-62).

**Referring to claim 23,**

Sheynblat teaches the communication network of claim 19, wherein the intermediary inserts location information within the first location token responsive to the request being transmitted from the client device to the other device. (col. 8, line 37-62).

**Referring to claim 24,**

Sheynblat teaches the communication network of claim 19, wherein the first and the second location token include signature codes corresponding to the intermediary inserting location information. (col. 22, line 15-31).

**Referring to claim 25,**

Sheynblat teaches a method for transferring and collecting location Information in a communication network, comprising the steps of:

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generating a request for Information at a client device (col. 7, line 17-24);

transmitting the request to other device through a intermediary(Fig. 2B, element 102b, col. 8, line 56-62);

generating a response to the request for Information(Fig. 2B, element (col. 8, line 37-62); and

transmitting a first location token between the client device, the other device and intermediary requesting Insertion of location information corresponding to the client device. (col. 8, line 37-62)

**Referring to claim 26,**

Sheynblat teaches the method of claim 25, further comprising the step of inserting signature codes identifying the intermediary inserting the location information. (col. 22, line 15-31).

**Referring to claims 27 and 28,**

Sheynblat teaches the method of claim 25, wherein the first location token is transmitted within the response and includes a location command requesting insertion of the location information by the client device, the method further comprising the steps of:

transmitting the response to the client device through the intermediary;

generating a second location token in response to the location command, the second location token including location information available to the client device and a second location command requesting insertion of location information within updated location token;

transmitting the second location taken from the client device to

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a intermediary;

inserting location Information available to the intermediary within the second location token and transmitting the second location token from the intermediary to the other device; and

generating an updated response to the request for information using the location information Inserted by the client device and the intermediary and transmitting the updated response to the client device through the intermediary, and wherein the second location token is an update of the first location token. (col. 16, line 6-61, Fig. 8, Fig. 2B, col. 8, line 45-62).

**Referring to claims 29 and 30,**

Sheynblat teaches the method of claim 25, wherein the first location token is transmitted within the response and includes a location command requesting insertion of the location information by the client device and the intermediary, the method further comprising the steps of:

transmitting the response to the intermediary;

inserting location information available to the intermediary within the first location token and transmitting the response from the intermediary to the client device;

generating an updated request including a second location token including location information Inserted by the intermediary along with location information available to the client device:

transmitting the updated request from the client device to the other device through the intermediary and

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generating an updated response to the request for Information using the location information Inserted by the client device and the intermediary within the second location token and transmitting the updated response to the client device through the intermediary, and wherein the second location token is an update of the first location token. (col. 16, line 6-61, Fig. 8, Fig. 2B, col. 8, line 45-62).

**Referring to claims 31 and 32,**

Sheynblat teaches the method of claim 25, wherein the first location token is transmitted within the request, along with location information available to the client device, the method further comprising the steps of:

generating a second location token to be included in the response. the second location token Including location information Inserted by the client device and location information available to the other device, along with a location command requesting the intermediary to insert location Information within the second location token;

transmitting the response to the intermediary; and

inserting location information available to the intermediary within the second location token and transmitting the response from the intermediary to the client device, and wherein the second location token is an update of the first location token. (col. 16, line 6-61, Fig. 8, Fig. 2B, col. 8, line 45-62).

**Referring to claims 33 and 34,**

Sheynblat teaches the method of claim 25, wherein the first location token is transmitted within the request and includes a location command requesting insertion of the location

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Information by the other device and the intermediary, along with location information available to the client device, the method further comprising the steps of:

transmitting the request to the intermediary,

inserting location information available to the intermediary within the first location token and transmitting the request from the intermediary to the client device;

generating a second location token to be included in the response. the second location token including location information inserted by the client device and the other intermediary and location information available to the other device; and transmitting the response to the client device through the intermediary., and

, wherein the second location token is an update of the first location token. (col. 16, line 6-61, Fig. 8, Fig. 2B, col. 8, line 45-62).

### ***Conclusion***

**Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp  
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